

# **EXHIBIT 14**

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**From:** [Chelsea Pasquali](#)  
**To:** [Leen Mosa](#)  
**Subject:** FW: International IP Holdings v Vitamin Energy  
**Date:** Wednesday, February 7, 2024 12:26:33 PM

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**From:** Ethan Thomas <EThomas@fenwick.com>  
**Sent:** Monday, February 5, 2024 4:59 PM  
**To:** Chelsea Pasquali <cpasquali@brookskushman.com>; Marc Lorelli <mlorelli@brookskushman.com>  
**Cc:** Molly Melcher <mmelcher@fenwick.com>; INNV0104L@brookskushman.com  
**Subject:** RE: International IP Holdings v Vitamin Energy

Chelsea,

For the reasons we discussed during our meet and confer call, Mindmate will stand on its objections to Plaintiffs' subpoena. As an initial matter, the subpoena was not properly served. In addition, Plaintiffs still have not offered a satisfactory explanation for relevance. The study on which the document requests are based was published almost three and a half years after the events alleged in the amended complaint took place. And the conclusions of the study do not have any relation to the allegations in Plaintiffs' amended complaint. In any event, the clinical study (containing an extremely detailed explanation of its methods and conclusions) is publicly available. Plaintiffs have not provided a valid explanation as to how materials that are not contained in the published study and that are not in Defendant's possession have any material connection to the litigation.

Even if the document requests in the subpoena had some marginal relevance based on the above theories (they do not), Plaintiffs have still failed to establish that there any relevant materials that are not in the possession of Defendant. Plaintiffs' explanation that they believe Defendant may be improperly withholding relevant evidence is not a valid basis for burdening a third party, and such disputes should be addressed through the appropriate channels between the parties and with the Court. The subpoena is therefore not proportionate to the needs of the case, and it certainly does not "avoid imposing undue burden or expense on a person subject to the subpoena" as required by Rule 45.

Mindmate reserves all rights.

Best,  
Ethan

Ethan Thomas  
[Fenwick](#) | Associate | +1 415-875-2238 | [EThomas@fenwick.com](mailto:EThomas@fenwick.com)

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**From:** Chelsea Pasquali <cpasquali@brookskushman.com>  
**Sent:** Monday, February 5, 2024 1:06 PM

**To:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>  
**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)  
**Subject:** RE: International IP Holdings v Vitamin Energy

**\*\* EXTERNAL EMAIL \*\***

Ethan,

Following up. We did not hear from you last week.

Thank you

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**From:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>  
**Sent:** Thursday, February 1, 2024 12:02 PM  
**To:** Chelsea Pasquali <[cpasquali@brookskushman.com](mailto:cpasquali@brookskushman.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>  
**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)  
**Subject:** RE: International IP Holdings v Vitamin Energy

Chelsea,

We are conferring with our client and anticipate getting back to you by the end of the week.

Thank you,  
Ethan

Ethan Thomas  
[Fenwick](#) | Associate | +1 415-875-2238 | [EThomas@fenwick.com](mailto:EThomas@fenwick.com)

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**From:** Chelsea Pasquali <[cpasquali@brookskushman.com](mailto:cpasquali@brookskushman.com)>  
**Sent:** Wednesday, January 31, 2024 8:16 AM  
**To:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>  
**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)  
**Subject:** RE: International IP Holdings v Vitamin Energy

**\*\* EXTERNAL EMAIL \*\***

Ethan and Molly,

I am following up on my email below. Please advise.

Thank you

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**From:** Chelsea Pasquali

**Sent:** Monday, January 29, 2024 10:38 AM

**To:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>

**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)

**Subject:** RE: International IP Holdings v Vitamin Energy

Ethan and Molly,

To follow up on our conference last week, please advise whether you have had the opportunity to speak with your client and whether Mindmate will produce documents responsive to the subpoena or you believe another meet and confer would be helpful.

Thank you

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**From:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>

**Sent:** Friday, January 19, 2024 7:43 PM

**To:** Chelsea Pasquali <[cpasquali@brookskushman.com](mailto:cpasquali@brookskushman.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>

**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)

**Subject:** RE: International IP Holdings v Vitamin Energy

We are available 2:00 PM ET; can you please provide call/conferencing information?

Thank you, and have a good weekend.

Ethan Thomas

Fenwick | Associate | +1 415-875-2238 | [EThomas@fenwick.com](mailto:EThomas@fenwick.com)

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**From:** Chelsea Pasquali <[cpasquali@brookskushman.com](mailto:cpasquali@brookskushman.com)>

**Sent:** Friday, January 19, 2024 4:30 PM

**To:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>

**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>; [INNV0104L@brookskushman.com](mailto:INNV0104L@brookskushman.com)

**Subject:** Re: International IP Holdings v Vitamin Energy

**\*\* EXTERNAL EMAIL \*\***

We are available from 10-3pm ET on Wednesday. Please let us know what works for you.

Thank you

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**From:** Ethan Thomas <[EThomas@fenwick.com](mailto:EThomas@fenwick.com)>

**Sent:** Friday, January 19, 2024 6:48 PM

**To:** Chelsea Pasquali <[cpasquali@brookskushman.com](mailto:cpasquali@brookskushman.com)>; Marc Lorelli <[mlorelli@brookskushman.com](mailto:mlorelli@brookskushman.com)>

**Cc:** Molly Melcher <[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)>

**Subject:** International IP Holdings v Vitamin Energy



**IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender [EThomas@fenwick.com](mailto:EThomas@fenwick.com)**

Counsel,

We have received your request to meet and confer regarding plaintiffs' subpoena in this matter. We will be available to meet and confer on Wednesday or Thursday of next week — can you please let us know what times you will be available?

Thank you,  
Ethan

Ethan Thomas  
Fenwick | Associate | +1 415-875-2238 | [EThomas@fenwick.com](mailto:EThomas@fenwick.com)